

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Michael Sean Speight

V.

Civil No. 1:24-cv-12363
Chief Judge Patti B. Saris

Amanda Kaelblein
Michael Kaelblein
Nancy Kaelblein
Eric Stephan(Professional, individual capacity)

**PLAINTIFF'S OBJECTION OF MOTION TO DISMISS FILED BY
ERIC STEPHAN.**

The Plaintiff objects to the Defendant's Motion To Dismiss.

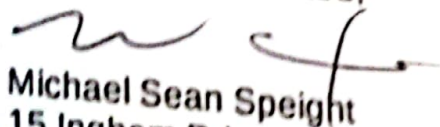
1. The AG in his motion to dismiss, attempts to shift blame from DOR lawyer Eric Stephan to Judge Phelan even though the Plaintiff named Judge Phelan in his original complaint. . The evidence shows Eric Stephan still played a role and is responsible, for violating the

Plaintiff's rights, with private individuals.

2. We don't know who signed the order and that's why the claim needs to move forward and not be dismissed.
3. Eric Stephan does not get Prosecutorial immunity, all of his actions for Massachusetts DOR are administrative.
4. The Defendant does not get 11th Amendment immunity, due to his actions.
5. This Court does have Subject Matter Jurisdiction over this claim.
6. Rooker-Feldman, and Younger doctrines do not apply to the order it is vacated, and Plaintiff is not trying to overturn a state court judgement.

WHEREFORE, the Defendants Motion To Dismiss should be denied.

Respectfully Submitted,



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